

AGN. NO.

**MOTION BY SUPERVISORS MARK RIDLEY-THOMAS
AND DON KNABE**

OCTOBER 28, 2014

**Supporting Efforts to Deter Sexual Exploitation of Children at Hotels and Motels in
the City of Los Angeles**

The commercial sexual exploitation of children in the County of Los Angeles (County) is growing and has become extremely profitable for gangs and individuals to victimize children, outpacing other illegal activities, including drug dealing. Data has revealed that the average age of entry for exploited children is 12 years. Children are subjected to extremely violent and traumatic acts against them which in many cases results in their death within seven years from the time of entry into the sex trade. Further, hotels and motels in the County are being used to facilitate the sale of children for sex along prostitution tracks.

The City of Los Angeles (City) also understands the role that hotels and motels play in the child sex trafficking trade. For this reason, officers from the Los Angeles Police Department were able to make hotel and motel operators allow inspection of their guest registries without a warrant pursuant to Municipal Code §41.49. If the operator refused, the person could be arrested and fined up to \$1,000. Last year, however, the United States Court of Appeals for the Ninth Circuit decided in *Patel v. City of Los Angeles* (2013) 738 F.3d 1058 that a police officer's non-consensual inspection of hotel guest records under

- MORE -

MOTION

MOLINA	_____
RIDLEY-THOMAS	_____
YAROSLAVSKY	_____
ANTONOVICH	_____
KNABE	_____

**MOTION BY SUPERVISORS MARK RIDLEY-THOMAS AND DON KNABE
OCTOBER 28, 2014
PAGE 2**

Municipal Code §41.49 amounts to a Fourth Amendment search. This decision means that the City must provide the business with an opportunity to contest the reasonableness of the inspection demand before noncompliance penalties can be imposed on them. On October 20, 2014, the United States Supreme Court decided to rule on whether Fourth Amendment protections apply to inspection of these records. The City defends §41.49 as a nuisance abatement measure designed to deter drug dealing and commercial sex under the theory that people will be less likely to do so if they knew that the hotel/motel operators had to collect their identifying information and if asked, provide it to the police. The Board should support the City in this deterrence strategy.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

- 1) Direct County Counsel to prepare or join in an amicus brief on behalf of the County of Los Angeles in support of the City of Los Angeles' position in the case of City of Los Angeles v. Patel, No. 13-1175, with the United States Supreme Court to ensure that the City can continue its abatement measures to deter drug dealing and commercial sex activities in hotels and motels.

###

(NJ)